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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 18-100

#### Comments

**[NOTE:** All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated December 2014.]

#### 2. Form, Style and Placement in Administrative Code

a. In the rule summary’s description of the analysis and supporting documents used to determine the effect on small business, an entry should be inserted. [s. 1.02 (2) (a) 9., Manual.]

b. In s. SPS 4.035, a title should be inserted, such as “Predetermination of conviction record”. A rule section must have a title, which should be inserted between “4.035” and “(1)”, and formatted with bold print and an initial capital letter. [s. 1.05 (1) and (2) (b), Manual.]

c. In s. SPS 4.035 (1) (a), if the “application” is a form, a Note should be inserted to specify where or how the application form may be obtained. [s. 1.09 (3), Manual.]

#### 5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In s. SPS 4.035 (2), the department should consider changing the phrase “a credential” to the phrase “the credential”, if the predetermination fee will be credited only to a credential application that was the subject of a predetermination application. Also, consider revising the word “may” to “shall”, if the fee will be applied uniformly; if applying the fee to a future credential application is intended to be discretionary, the criteria for making the determination should be specified.

b. In s. SPS 4.035 (3) (intro.), is there any information “related to the conviction record” that would be considered beyond what is included in the application materials? Consider revising that phrase to the “information provided in sub. (1)”, in place of “information related to the conviction record”.

c. The department could consider rewording s. SPS 4.035 (4) for clarity, along the following lines: "The authority shall send a written determination to the individual no later than 30 days after it receives complete application materials under sub. (1) for a determination of whether the individual would be disqualified from obtaining a credential based upon a conviction record."